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18 Attorneys for Plaintiff  
19 UNITED STATES OF AMERICA

20 UNITED STATES DISTRICT COURT

21 FOR THE CENTRAL DISTRICT OF CALIFORNIA

22 UNITED STATES OF AMERICA,

23 No. CR 24-621 (B) -MWF

24 Plaintiff,

25 GOVERNMENT'S NOTICE OF LODGING  
UNDER SEAL EXHIBITS 1-6 AND  
SUPPLEMENTAL MEMORANDUM IN  
OPPOSITION TO DEFENDANT DURK  
BANKS' MOTION TO DISMISS FOR  
VAGUENESS OR IN THE ALTERNATIVE  
FOR A BILL OF PARTICULARS

v.

26 DURK BANKS, et al.,

27 Defendants.

28 Plaintiff United States of America hereby files this Notice of  
29 Lodging Under Seal Exhibits 1-6 and Supplemental Memorandum in  
30 Opposition to Defendant Durk Banks' Motion to Dismiss for Vagueness  
31 or in the Alternative for a Bill of Particulars (Dkt. 227).

32 This filing is based upon the attached memorandum of points and  
33 authorities, the attached Exhibits 1-6 (Under Seal), the files and

1 records in this case, and such further evidence and argument as the  
2 Court may permit.

3 Dated: November 14, 2025

Respectfully submitted,

4 BILAL A. ESSAYLI  
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8 /s/  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 To assist the Court in resolving Defendant Banks' Motion to  
3 Dismiss for Vagueness or for a Bill of Particulars, the government  
4 hereby lodges under seal Exhibits 1-6. Defendant Banks' Reply in  
5 Support of his Motion to Dismiss for Vagueness or for a Bill of  
6 Particulars (Dkt. 286) claims that "nowhere does the discovery set  
7 forth anything resembling a fixed or coherent theory of the 'time,  
8 place, and circumstances' of the 'bounty' allegations or the 'at the  
9 direction of' allegations." (Reply at 7.) The statement is not  
10 true. For example, the government has produced discovery that  
11 explicitly states the time, place, and language used to convey the  
12 bounty to at least two different witnesses. See Ex. 1  
13 (at Bates\_35015-16); Ex. 2 (at Bates\_34923); see also Ex. 3  
14 (at Bates\_33070); Ex. 4 (at Bates\_34950-51). The discovery produced  
15 to defendants also explicitly states multiple examples of defendant  
16 Banks directing his co-conspirators to take actions in furtherance of  
17 the murder scheme. See Ex. 5 (at Bates\_37195-37200); Ex. 6  
18 (at Bates\_33244-48). To the extent defense counsel believes these  
19 statements do not "resembl[e] a fixed or coherent theory" of this  
20 case, they have the right to present that argument to the petit jury.  
21 For the reasons set forth in the government's previously filed  
22 opposition, the Court should deny this motion.

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